

INTERNATIONAL LABOUR OFFICE

REPORT FORM

FOR THE

**PROTECTION AGAINST ACCIDENTS (DOCKERS)
(REVISED) CONVENTION, 1932 (No. 32)**

The present report form is for the use of countries which have ratified the Convention. It has been approved by the Governing Body of the International Labour Office, in accordance with article 22 of the ILO Constitution, which reads as follows: "Each of the Members agrees to make an annual report to the International Labour Office on the measures which it has taken to give effect to the provisions of Conventions to which it is a party. These reports shall be made in such form and shall contain such particulars as the Governing Body may request."

PRACTICAL GUIDANCE FOR DRAWING UP REPORTS

First reports

If this is your Government's first report following the entry into force of the Convention in your country, full information should be given on each of the provisions of the Convention and on each of the questions set out in the report form.

Subsequent reports

In subsequent reports, information need normally be given only on the following points:

(a) any new legislative or other measures affecting the application of the Convention;

(b) replies to the questions in the report form on the practical application of the Convention (for example, statistics, results of inspections, judicial or administrative decisions) and on the communication of copies of the report to the representative organisations of employers and workers and on any observations received from these organisations;

(c) **replies to comments by supervisory bodies:** the report must contain replies to any comments regarding the application of the Convention in your country which may have been addressed to your Government by the Committee of Experts or by the Conference Committee on the Application of Conventions and Recommendations.

Article 22 of the Constitution of the ILO

Report for the period to
made by the Government of

on the

PROTECTION AGAINST ACCIDENTS (DOCKERS) (REVISED) CONVENTION, 1932 (No. 32)

(ratification registered on)

- I. Please give a list of the legislation and administrative regulations, etc., which apply the provisions of the Convention. Where this has not already been done, please forward copies of the said legislation, etc., to the International Labour Office with this report.**

Please give any available information concerning the extent to which these laws and regulations have been enacted or modified to permit of, or as a result of, ratification.

- II. Please indicate in detail for each of the following Articles of the Convention the provisions of the above-mentioned legislation and administrative regulations, etc., or other measures, under which each Article is applied.**

If in your country ratification of the Convention gives the force of national law to its terms please indicate by virtue of what constitutional provisions the ratification has had this effect. Please also specify what action has been taken to make effective those provisions of the Convention which require a national authority to take certain specific steps for its implementation, such as measures to define the exact scope of the Convention and the extent to which advantage may be taken of permissive exceptions provided for in it, measures to draw the attention of the parties concerned to its provisions, and arrangements for adequate inspection and penalties.

If the Committee of Experts or the Conference Committee on the Application of Conventions and Recommendations has requested additional information or has made an observation on the measures adopted to apply the Convention, please supply the information asked for or indicate the action taken by your Government to settle the points in question.

Article 1

For the purpose of this Convention—

(1) the term “ processes ” means and includes all or any part of the work performed on shore or on board ship of loading or unloading any ship whether engaged in maritime or inland navigation, excluding ships of war, in, on, or at any maritime or inland port, harbour, dock, wharf, quay or similar place at which such work is carried on; and

(2) the term “ worker ” means any person employed in the processes.

Article 2

1. Any regular approach over a dock, wharf, quay or similar premises which workers have to use for going to or from a working place at which the processes are carried on and every such working place on shore shall be maintained with due regard to the safety of the workers using them.

2. In particular,

(1) every said working place on shore and any dangerous parts of any said approach thereto from the nearest highway shall be safely and efficiently lighted;

(2) wharves and quays shall be kept sufficiently clear of goods to maintain a clear passage to the means of access referred to in Article 3;

(3) where any space is left along the edge of any wharf or quay, it shall be at least 3 feet (90 cm.) wide and clear of all obstructions other than fixed structures, plants and appliances in use; and

(4) so far as is practicable having regard to the traffic and working,

(a) all dangerous parts of the said approaches and working places (e.g. dangerous breaks, corners and edges) shall be adequately fenced to a height of not less than 2 feet 6 inches (75 cm.);

(b) dangerous footways over bridges, caissons and dock gates shall be fenced to a height of not less than 2 feet 6 inches (75 cm.) on each side, and the said fencing shall be continued at both ends to a sufficient distance which shall not be required to exceed 5 yards (4 m. 50).

(5) The measurement requirements of paragraph (4) of this Article shall be deemed to be complied with, in respect of appliances in use at the date of the ratification of this Convention, if the actual measurements are not more than 10 per cent less than the measurements specified in the said paragraph (4).

Article 3

1. When a ship is lying alongside a quay or some other vessel for the purpose of the processes, there shall be safe means of access for the use of the workers at such times as they have to pass to or from the ship, unless the conditions are such that they would not be exposed to undue risk if no special appliance were provided.

2. The said means of access shall be—

- (a) where reasonably practicable, the ship's accommodation ladder, a gangway or a similar construction;
- (b) in other cases a ladder.

3. The appliances specified in paragraph 2 (a) of this Article shall be at least 22 inches (55 cm.) wide, properly secured to prevent their displacement, not inclined at too steep an angle, constructed of materials of good quality and in good condition, and securely fenced throughout to a clear height of not less than 2 feet 9 inches (82 cm.) on both sides, or in the case of the ship's accommodation ladder securely fenced to the same height on one side, provided that the other side is properly protected by the ship's side.

Provided that any appliances as aforesaid in use at the date of the ratification of this Convention shall be allowed to remain in use—

- (a) until the fencing is renewed if they are fenced on both sides to a clear height of at least 2 feet 8 inches (80 cm.);
- (b) for two years from the date of ratification if they are fenced on both sides to a clear height of at least 2 feet 6 inches (75 cm.).

4. The ladders specified in paragraph 2 (b) of this Article shall be of adequate length and strength, and properly secured.

5. (a) Exceptions to the provisions of this Article may be allowed by the competent authorities when they are satisfied that the appliances specified in the Article are not required for the safety of the workers.

(b) The provisions of this Article shall not apply to cargo stages or cargo gangways when exclusively used for the processes.

6. Workers shall not use, or be required to use, any other means of access than the means specified or allowed by this Article.

Please give detailed information regarding the exceptions, if any, allowed by the competent authorities under paragraph 5 (a) of Article 3, forwarding the texts of any regulations, etc., which may have been issued for this purpose.

Article 4

When the workers have to proceed to or from a ship by water for the processes, appropriate measures shall be prescribed to ensure their safe transport, including the conditions to be complied with by the vessels used for this purpose.

Please give full information regarding the measures which have been prescribed under this Article, forwarding the texts of the relevant legislation, administrative regulations, etc.

Article 5

1. When the workers have to carry on the processes in a hold the depth of which from the level of the deck to the bottom of the hold exceeds 5 feet (1 m. 50), there shall be safe means of access from the deck to the hold for their use.

2. The said means of access shall ordinarily be by ladder, which shall not be deemed to be safe unless it complies with the following conditions:

- (a) provides foothold of a depth, including any space behind the ladder, of not less than 4½ inches (11½ cm.) for a width of not less than 10 inches (25 cm.) and a firm handhold;
- (b) is not recessed under the deck more than is reasonably necessary to keep it clear of the hatchway;
- (c) is continued by and is in line with arrangements for secure handhold and foothold on the coamings (e.g. cleats or cups);

- (d) the said arrangements on the coamings provide foothold of a depth, including any space behind the said arrangements, of not less than $4\frac{1}{2}$ inches ($11\frac{1}{2}$ cm.) for a width of not less than 10 inches (25 cm.);
- (e) if separate ladders are provided between the lower decks, the said ladders are as far as practicable in line with the ladder from the top deck.

Where, however, owing to the construction of the ship, the provision of a ladder would not be reasonably practicable, it shall be open to the competent authorities to allow other means of access, provided that they comply with the conditions laid down in this Article for ladders so far as they are applicable.

In the case of ships existing at the date of the ratification of this Convention the measurement requirements of subparagraphs (a) and (d) of this paragraph shall be deemed to be complied with, until the ladders and arrangements are replaced, if the actual measurements are not more than 10 per cent less than the measurements specified in the said subparagraphs (a) and (d).

3. Sufficient free passage to the means of access shall be left at the coamings.

4. Shaft tunnels shall be equipped with adequate handhold and foothold on both sides.

5. When a ladder is to be used in the hold of a vessel which is not decked it shall be the duty of the contractor undertaking the processes to provide such ladder. It shall be equipped at the top with hooks or with other means for firmly securing it.

6. The workers shall not use, or be required to use, other means of access than the means specified or allowed by this Article.

7. Ships existing at the date of ratification of this Convention shall be exempt from compliance with the measurements in paragraph 2 (a) and (d) and from the provisions of paragraph 4 of this Article for a period not exceeding four years from the date of ratification of this Convention.

Please state whether advantage has been taken of the exemption provided for in paragraph 7 of this Article in respect of ships existing at the date of ratification of this Convention.

Article 6

1. While the workers are on a ship for the purpose of the processes, every hatchway of a cargo hold accessible to the workers which exceeds 5 feet (1 m. 50) in depth from the level of the deck to the bottom of the hold, and which is not protected to a clear height of 2 feet 6 inches (75 cm.) by the coamings, shall, when not in use for the passage of goods, coal or other material, either be securely fenced to a height of 3 feet (90 cm.) or be securely covered. National laws or regulations shall determine whether the requirements of this paragraph shall be enforced during meal times and other short interruptions of work.

2. Similar measures shall be taken when necessary to protect all other openings in a deck which might be dangerous to the workers.

Please indicate any provisions contained in national laws or regulations for the purpose of determining whether the requirements of paragraph 1 of this Article shall be enforced during meal times and other short interruptions of work.

Article 7

1. When the processes have to be carried on on a ship, the means of access thereto and all places on board at which the workers are employed or to which they may be required to proceed in the course of their employment shall be efficiently lighted.

2. The means of lighting shall be such as not to endanger the safety of the workers nor to interfere with the navigation of other vessels.

Article 8

In order to ensure the safety of the workers when engaged in removing or replacing hatch coverings and beams used for hatch coverings—

(1) hatch coverings and beams used for hatch coverings shall be maintained in good condition;

(2) hatch coverings shall be fitted with adequate hand grips, having regard to their size and weight, unless the construction of the hatch or the hatch coverings is of a character rendering the provision of hand grips unnecessary;

(3) beams used for hatch coverings shall have suitable gear for removing and replacing them of such a character as to render it unnecessary for workers to go upon them for the purpose of adjusting such gear;

(4) all hatch coverings and fore and aft and thwart-ship beams shall, in so far as they are not interchangeable, be kept plainly marked to indicate the deck and hatch to which they belong and their position therein;

(5) hatch coverings shall not be used in the construction of cargo stages or for any other purpose which may expose them to damage.

Article 9

1. Appropriate measures shall be prescribed to ensure that no hoisting machine, or gear, whether fixed or loose, used in connection therewith, is employed in the processes on shore or on board ship unless it is in a safe working condition.

2. In particular,

(1) before being taken into use, the said machines, fixed gear on board ship accessory thereto as defined by national laws or regulations, and chains and wire ropes used in connection therewith, shall be adequately examined and tested, and the safe working load thereof certified, in the manner prescribed and by a competent person acceptable to the national authorities;

(2) after being taken into use, every hoisting machine, whether used on shore or on board ship, and all fixed gear on board ship accessory thereto as defined by national laws or regulations shall be thoroughly examined or inspected as follows:

- (a) to be thoroughly examined every four years and inspected every twelve months: derricks, goose necks, mast bands, derrick bands, eyebolts, spans and any other fixed gear the dismantling of which is specially difficult;
- (b) to be thoroughly examined every twelve months; all hoisting machines (e.g. cranes, winches), blocks, shackles and all other accessory gear not included in (a).

All loose gear (e.g. chains, wire ropes, rings, hooks) shall be inspected on each occasion before use unless they have been inspected within the previous three months.

Chains shall not be shortened by tying knots in them and precautions shall be taken to prevent injury to them from sharp edges.

A thimble or loop splice made in any wire rope shall have at least three tucks with a whole strand of rope and two tucks with one half of the wires cut out of each strand; provided that this requirement shall not operate to prevent the use of another form of splice which can be shown to be as efficient as the form hereby prescribed.

(3) Chains and such similar gear as is specified by national laws or regulations (e.g. hooks, rings, shackles, swivels) shall, unless they have been subjected to such other sufficient treatment as may be prescribed by national laws or regulations, be annealed as follows under the supervision of a competent person acceptable to the national authorities:

- (a) In the case of chains and the said gear carried on board ship:
 - (i) half inch (12½ mm.) and smaller chains or gear in general use once at least in every six months;
 - (ii) all other chains or gear (including span chains but excluding bridle chains attached to derricks or masts) in general use once at least in every twelve months;

Provided that in the case of such gear used solely on cranes and other hoisting appliances worked by hand, twelve months shall be substituted for six months in subparagraph (i) and two years for twelve months in subparagraph (ii);

Provided also that, if the competent authority is of opinion that owing to the size, design, material or infrequency of use of any of the said gear the requirements of this paragraph as to annealing are not necessary for the protection of the workers, it may, by certificate in writing (which it may at its discretion revoke), exempt such gear from the said requirements subject to such conditions as may be specified in the said certificate.

- (b) In the case of chains and the said gear not carried on board ship:
measures shall be prescribed to secure the annealing of the said chains and gear.
- (c) In the case of the said chains and gear whether carried on board ship or not, which have been lengthened, altered or repaired by welding, they shall thereupon be tested and re-examined.

(4) Such duly authenticated records as will provide sufficient *prima facie* evidence of the safe condition of the machines and gear concerned shall be kept, on shore or on the ship as the case may be, specifying the safe working load and the dates and results of the tests and examinations referred to in paragraphs (1) and (2) of this Article and of the annealings or other treatment referred to in paragraph (3).

Such records shall, on the application of any person authorised for the purpose, be produced by the person in charge thereof.

(5) The safe working load shall be kept plainly marked on all cranes, derricks and chain slings and on any similar hoisting gear used on board ship as specified by national laws or regulations. The safe working load marked on chain slings shall be either in plain figures or letters upon the chains or upon a tablet or ring of durable material attached securely thereto.

(6) All motors, cogwheels, chain and friction gearing, shafting, live electric conductors and steam pipes shall (unless it can be shown that by their position and construction they are equally safe to every

worker employed as they would be if securely fenced) be securely fenced so far as is practicable without impeding the safe working of the ship.

(7) Cranes and winches shall be provided with such means as will reduce to a minimum the risk of the accidental descent of a load while in process of being lifted or lowered.

(8) Appropriate measures shall be taken to prevent exhaust steam from and, so far as practicable, live steam to any crane or winch obscuring any part of the working place at which a worker is employed.

(9) Appropriate measures shall be taken to prevent the foot of a derrick being accidentally lifted out of its socket or support.

Please indicate—

- (a) *the arrangements made for securing that the tests, etc., mentioned in subparagraphs (1) and (3) of paragraph 2 of Article 9, are carried out by “a competent person acceptable to the national authorities”;*
- (b) *the fixed gear on board ship which is required to be thoroughly examined or inspected in the manner prescribed by subparagraph (2);*
- (c) *the kinds of gear specified, and the “other sufficient treatment” prescribed, by national laws or regulations under subparagraph (3);*
- (d) *the measures which have been prescribed under subparagraph (3) (b).*

Article 10

Only sufficiently competent and reliable persons shall be employed to operate lifting or transporting machinery whether driven by mechanical power or otherwise, or to give signals to a driver of such machinery, or to attend to cargo falls on winch ends or winch drums.

Article 11

1. No load shall be left suspended from any hoisting machine unless there is a competent person actually in charge of the machine while the load is so left.

2. Appropriate measures shall be prescribed to provide for the employment of a signaller where this is necessary for the safety of the workers.

3. Appropriate measures shall be prescribed with the object of preventing dangerous methods of working in the stacking, unstacking, stowing and unstowing of cargo, or handling in connection therewith.

4. Before work is begun at a hatch the beams thereof shall either be removed or be securely fastened to prevent their displacement.

5. Precautions shall be taken to facilitate the escape of the workers when employed in a hold or on 'tween decks in dealing with coal or other bulk cargo.

6. No stage shall be used in the processes unless it is substantially and firmly constructed, adequately supported and where necessary securely fastened.

No truck shall be used for carrying cargo between ship and shore on a stage so steep as to be unsafe. Stages shall where necessary be treated with suitable material to prevent the workers slipping.

7. When the working space in a hold is confined to the square of the hatch, and except for the purpose of breaking out or making up slings,

- (a) hooks shall not be made fast in the bands or fastenings of bales of cotton, wool, cork, gunny-bags, or other similar goods;
- (b) can-hooks shall not be used for raising or lowering a barrel when, owing to the construction or condition of the barrel or of the hooks, their use is likely to be unsafe.

8. No gear of any description shall be loaded beyond the safe working load save in exceptional cases and then only in so far as may be allowed by national laws or regulations.

9. In the case of shore cranes with varying capacity (e.g. raising and lowering jib with load capacity varying according to the angle) an automatic indicator or a table showing the safe working loads at the corresponding inclinations of the jib shall be provided on the crane.

Please indicate with reference to paragraph 8 of Article 11 in what exceptional cases gear may be loaded beyond the safe working load, and to what extent.

Article 12

National laws or regulations shall prescribe such precautions as may be deemed necessary to ensure the proper protection of the workers, having regard to the circumstances of each case, when they have to deal with or work in proximity to goods which are in themselves dangerous to life or health by reason

either of their inherent nature or of their condition at the time, or work where such goods have been stowed.

Please indicate in detail the precautions prescribed by national laws or regulations in pursuance of this Article.

Article 13

1. At docks, wharves, quays and similar places which are in frequent use for the processes, such facilities as having regard to local circumstances shall be prescribed by national laws or regulations shall be available for rapidly securing the rendering of first aid and in serious cases of accident removal to the nearest place of treatment. Sufficient supplies of first-aid equipment shall be kept permanently on the premises in such a condition and in such positions as to be fit and readily accessible for immediate use during working hours. The said supplies shall be in charge of a responsible person or persons, who shall include one or more persons competent to render first aid, and whose services shall also be readily available during working hours.

2. At such docks, wharves, quays and similar places as aforesaid appropriate provision shall also be made for the rescue of immersed workers from drowning.

Article 14

Any fencing, gangway, gear, ladder, life-saving means or appliance, light, mark, stage or other thing whatsoever required to be provided under this Convention shall not be removed or interfered with by any person except when duly authorised or in case of necessity, and if removed shall be restored at the end of the period for which its removal was necessary.

Article 15

1. It shall be open to each Member to grant exemptions from or exceptions to the provisions of this Convention in respect of any dock, wharf, quay or similar place at which the processes are only occasionally carried on or the traffic is small and confined to small ships, or in respect of certain special ships or special classes of ships or ships below a certain small tonnage, or in cases where as a result of climatic conditions it would be impracticable to require the provisions of this Convention to be carried out.

2. The International Labour Office shall be kept informed of the provisions in virtue of which any exemptions and exceptions as aforesaid are allowed.

Please describe the cases in which advantage has been taken of the total or partial exceptions provided for in Article 15.

If total or partial exceptions have been granted in view of climatic conditions, please indicate the nature of those exemptions or exceptions and the grounds on which they have been granted.

Article 16

Except as herein otherwise provided, the provisions of this Convention which affect the construction or permanent equipment of the ship shall apply to ships the building of which is commenced after the date of ratification of the Convention, and to all other ships within four years after that date, provided that in the meantime the said provisions shall be applied so far as reasonable and practicable to such other ships.

Article 18

1. Each Member undertakes to enter into reciprocal arrangements on the basis of this Convention with the other Members which have ratified this Convention, including more particularly the mutual recognition of the arrangements made in their respective countries for testing, examining and annealing and of certificates and records relating thereto;

2. Provided that, as regards the construction of ships and as regards plant used on ships and the records and other matters to be observed on board under the terms of this Convention, each Member is satisfied that the arrangements adopted by the other Member secure a general standard of safety for the workers equally effective as the standard required under its own laws and regulations;

3. Provided also that the governments shall have due regard to the obligations of paragraph 11 of article 19 of the Constitution of the International Labour Organisation.

Please indicate the steps taken to carry out the provisions of Article 18.

Please indicate any difficulties encountered in this respect.

Please append to your report copies of all forms, certificates, records, etc., which may be used in connection with the arrangements mentioned in paragraph 1 of Article 18.

Please indicate the measures taken in conformity with the various provisions of this Article.

III. Article 17 of the Convention is as follows:

In order to ensure the due enforcement of any regulations prescribed for the protection of the workers against accidents—

(1) The regulations shall clearly define the persons or bodies who are to be responsible for compliance with the respective regulations;

(2) Provision shall be made for an efficient system of inspection and for penalties for breaches of the regulations;

(3) Copies or summaries of the regulations shall be posted up in prominent positions at docks, wharves, quays and similar places which are in frequent use for the processes.

IV. Please state whether courts of law or other tribunals have given decisions involving questions of principle relating to the application of the Convention. If so, please supply the text of these decisions.

V. Please give a general appreciation of the manner in which the Convention is applied in your country, including, for instance, extracts from inspectors' reports, and, if such statistics are available, information regarding the number of workers covered by the relevant legislation, the number and nature of the contraventions reported, the number, nature and causes of accidents reported, etc.

VI. Please indicate the representative organisations of employers and workers to which copies of the present report have been communicated in accordance with article 23, paragraph 2, of the Constitution of the International Labour Organisation.¹ If copies of the report have not been communicated to representative organisations of employers and/or workers, or if they have been communicated to bodies other than such organisations, please supply information on any particular circumstances existing in your country which explain the procedure followed.

Please indicate whether you have received from the organisations of employers or workers concerned any observations, either of a general kind or in connection with the present or the previous report, regarding the practical application of the provisions of the Convention or the application of the legislation or other measures implementing the Convention. If so, please communicate a summary of the observations received, together with any comments that you consider useful.

¹ Article 23, paragraph 2, of the Constitution reads as follows: " Each Member shall communicate to the representative organisations recognised for the purpose of article 3 copies of the information and reports communicated to the Director-General in pursuance of articles 19 and 22. "